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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/809,405	03/15/2001	Frank Rademacher	964-010251	3576
28289	7590	09/07/2005	EXAMINER	
THE WEBB LAW FIRM, P.C. 700 KOPPERS BUILDING 436 SEVENTH AVENUE PITTSBURGH, PA 15219			SENGI, BEHROOZ M	
			ART UNIT	PAPER NUMBER
			2613	

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/809,405	RADEMACHER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Behrooz Senfi	2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schofield et al (US 6,222,447) in view of Rosinski et al (US 5,793,308).

Regarding claim 1, Schofield '447 teaches "a driver's seat oriented in the forward direction and at least one display/screen located in the vicinity of the driver's seat" (i.e. fig. 3, display 20, col. 6, lines 40 – 49), and "a first camera pointing toward the rear, the first camera mounted on the rear of the vehicle at a first height" (i.e. fig. 1, camera 16), and "at least one additional camera directed toward the rear" (i.e. fig. 1, cameras 14) for viewing the rear and the blind spot (near area). Schofield '447 teaches, monitoring system that can be used in automobile or light truck or utility vehicle or the like (i.e. col. 3, lines 50 – 55), thus covers the "industrial truck as cited in the preamble of the claim". Schofield '447 teaches, "first camera mounted on the rear of the vehicle at a first height" (i.e. fig. 1, camera 16), But does not explicitly show the "second or additional camera being mounted on the rear of the vehicle at a height greater than the first camera". However, such features are well known and used in the prior art of monitoring system as evidenced by Rosinski '308 (i.e. figs, 5B, camera lenses and 7a, 8B and 12C) wherein shows multiple cameras being mounted at different height on the rear of the

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vehicle. Taking the combined teaching of Schofield '447 and Rosinski '308 as a whole, it would have been obvious to one skilled in the art at the time of the invention was made to modify the monitoring system of Schofield '447 as taught by Rosinski '308 by having multiple cameras mounted at different height on the rear of the vehicle, wherein the camera view on the display from each camera can be control and selected (i.e. col. 7, lines 10 – 15 of Rosinski).

Regarding claim 2, combination of Schofield '447 and Rosinski '308 teaches, “there are two additional cameras to view the near area” (i.e. col. 4, lines 14 – 15 of Rosinski).

Regarding claim 3, combination of Schofield '447 and Rosinski '308 teaches, “use of the camera with wide-angle lens” (i.e. col. 12, lines 3 – 7 of Schofield).

Regarding claim 4, the claimed “wherein the screen is effectively connected with a switching device by which the far area viewed by the first camera or the near area viewed by the at least one additional camera can be selectively displayed on the screen as desired” reads on combination teaching of Schofield '447 and Rosinski '308 (i.e. col. 7, lines 8 – 15 of Rosinski).

Regarding claims 5 – 6, combination of Schofield '447 and Rosinski '308 teaches, “switching .....” (i.e. col. Col. 8, lines 43 – 51 of Rosinski).

Regarding claims 7 – 8, combination of Schofield '447 and Rosinski '308 teaches, “image mixer and superimpose on video from cameras, in claims 7-8” (i.e. figs. 2 and 3, CPU 21 and MCU 211, col. 3, lines 30 – 32 and col. 6, lines 4 – 6 of Rosinski).

Regarding claims 9 - 10, combination of Schofield '447 and Rosinski '308

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teaches, “camera is located to the rear of driver’s cab, in claim 9” and “additional camera is fastened to an upper rear segment of the driver’s cab, in claim 10” (i.e. figs. 4 – 16 of Rosinski ‘308).

Regarding claim 11, combination of Schofield ‘447 and Rosinski ‘308 teaches, “screen is located inside a driver’s cab” is similar to the display as taught by combination of Schofield ‘447 and Rosinski ‘308, which is placed inside the vehicle (col. 6, lines 40 – 49 of Schofield).

Regarding claim 14, combination of Schofield ‘447 and Rosinski ‘308 teaches, “wherein the screen is in the form of a flat screen” (i.e. fig. 3, display 20 of Schofield is a flat panel display).

3. Claims 12 – 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over combination of Schofield ‘447 and Rosinski ‘308 further in view of Kemshall et al (US 5,542,490).

Regarding claim 12, combination of Schofield ‘447 and Rosinski ‘308 teaches, “vehicle monitoring system” as discussed above, with respect to claim 1. But does not explicitly teach, “electrical steering sensor” as claimed. However, such features are well known and used in the prior art of the record as evidenced by Kemshall ‘490 (i.e. col. 1, lines 7 – 9 and col. 2, lines 1 - 5). Taking the combined teaching of Schofield ‘447 and Rosinski ‘308 and Kemshall ‘490 as a whole, it would have been obvious to one skilled in the art at the time of the invention was made to use the steering sensor in vehicle for detecting the movement of the steering wheel, as taught by Kemshall ‘490 (i.e. col. 1, lines 7 – 9 and col. 2, lines 1 - 5)

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Regarding claim 13, placing the “electrical steering sensor in the vicinity of an armrest of the driver’s seat” considered as an obvious design choice.

4. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over combination of Schofield ‘447 and Rosinski ‘308 further in view of Lanza et al (US 5,938,710).

Regarding claim 15, combination of Schofield ‘447 and Rosinski ‘308 teaches, monitoring system, using plurality of cameras and viewing the Images on the screen as discussed above. But does not particularly mentions, “industrial truck is in the form of a fork lift truck”. However the above claim limitations are well known in the prior art of the record as evidenced by Lanza ‘710 (i.e. abstract, lines 1 – 3).

### **Conclusion**

5. Applicant’s amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(571) 272-7339**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mehrdad Dastouri** can be reached on **(571) 272-7418**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks


Washington, D.C. 20231

**Or faxed to:**


**(571) 273-8300**

Hand-delivered responses should be brought to Randolph Building, 401 Dulany Street, Alexandria, Va. 22314.

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

B. M. S. 

9/3/2005

  
**TUNG VO**  
**PRIMARY EXAMINER**